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# Frank, Found Guilty as Agents for Trujillo, Set to Appeal

Former FBI agent John Joseph Frank prepared today to appeal his conviction for serving as an unregistered agent of the Dominican Republic and its "strong man," Generalissimo Rafael Trujillo.

A Federal Court jury of nine women and three men, after 19 hours of deliberations, found Mr. Frank guilty yesterday on four counts.

Chief Defense Counsel Frank L. Carey said Mr. Frank would take the verdict to the U. S. Court of Appeals. He said "substantial questions of law" were involved.

Mr. Frank was freed on bond to await the usual Probation Office pre-sentence investigation of his background, which ordinarily takes several weeks.

## PENALTY

The maximum penalty under the 1938 Foreign Agents Registration Act is high—\$10,000 and five years in jail on each count. But the act was designed to cover a more dangerous kind of foreign agent, and he isn't expected to get anything near that.

The four counts against him don't charge different deeds, but are different legal ways of describing the same thing. In such cases the defendant usually gets the sentence for just one count.

Mr. Frank, 42, an ex-FBI and CIA employee, who lives at 7608 Columbia Pike, Alexandria, was the only person indicted by a grand jury specially called to investigate



JOHN JOSEPH FRANK

the 1936 disappearances of Columbia University Prof. Jesus de Galindez, a Trujillo foe, and American pilot Gerald L. Murphy.

## 3-WEEK TRIAL

The trial took three weeks, brushed the de Galindez affair only lightly. Mr. Frank was said to have investigated Prof. de Galindez and to have been at a New Jersey Airport with pilot Murphy just before March 12, 1956, to have been a "security advisor" for Trujillo and to have acted as lawyer for Dominican companies here.

His defense was that he first became connected with

Trujillo thru a State Department official, that he thought he had the State Department's blessing and that he didn't think he was a "foreign agent."

The jurors had deliberated since late Wednesday. On Friday they reported a deadlock and were sent home for the weekend. Yesterday morning they were still deadlocked.

## 'ALLEN CHARGE'

They asked to have some of the testimony read, were given the old "Allen charge," which calls on jurors in a

minority to re-examine their views. A little before six Judge James R. Kirkland was about to send them home for one more night.

Then, at 6 p. m., came a rap on the jury room door, heard thruout the courtroom.

Mr. Frank showed no apparent sign of emotion when the verdict was announced. Shortly before the jury filed into the courtroom he appeared to be uttering a brief prayer.

Judge James R. Kirkland had overruled three defense motions for a mistrial on the basis of a hung jury.

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